

WINNIPEG FREE PRESS PAMPHLET No. 8

# CANADIAN CITIZENSHIP

By GRANT DEXTER



*Reprinted from the Editorial pages of the*  
WINNIPEG FREE PRESS  
WINNIPEG, CANADA



## WHO IS CANADIAN?

WITH the re-introduction of the Canadian citizenship bill, the confusions and obscurities which have enveloped the question of Canadian nationality are in a fair way to be dispelled.

The official title of the bill is "an act respecting citizenship, nationality, naturalization and status of aliens." The sponsor of it is Hon. Paul Martin, Secretary of State. The immediate background of the measure is as follows:—

Speaking at Winnipeg last May in the federal election campaign, Mr. King declared that if the Liberal party were returned to power, the contradictions in our laws with respect to Canadian nationality or citizenship would be cleared away. The Liberal party was re-elected and in due course a bill was introduced and given first reading. It was explained briefly by Mr. Martin in the House of Commons on October 22 but owing to pressure of time could not be proceeded with at the last session. The legislation died in December on the order paper. With the opening of the new session, however, the bill is to be proceeded with.

In the deeper sense, no legislation could be more important than this measure. Nationalism, the sense of nationality, is one of the most potent forces in the world. Nationality may be defined as the political and juridical bond which unites the individual to the state from which are derived rights and obligations. In a unique way it was this sense of

nationality which made this country. It brought the U. E. Loyalists to Ontario and the Maritime provinces after the American revolution. As Canada has grown and prospered, the deepening of this sense of nationalism has been evident on every side. The very word Canadian, which up to relatively modern times applied only to Quebeckers, is now accepted gladly by all. One need only glance at the Durham report to see the change which has come over the use of the term Canadian. In Durham's day there were no Canadians in the present sense of the word. There were the French and the English, but apart from Quebeckers, no Canadians.

\* \* \*

THERE are two points about this legislation. To begin with, so great are the confusions in law with respect to nationality, that it is difficult to indicate, clearly, the dramatic changes which are now to be brought about. That they are real and vital is unquestionable.

On second point, it may be said that no measure could be more fascinating in the light that it throws backward across the years of our growth and development. For in this bill and in the record of the law on nationality which precedes it, will be found an exact parallel to the major story of our rise to autonomous nationhood. Nationality is, so to speak, a by-way which has followed, though not without many detours, the broad highway which led from colonial sta-

tus to autonomy. The record which ends with this bill is an exact parallel to that of the development of self-government. This second point will be brought out in reviewing the story of Canadian legislation with respect to nationality.

To revert to the first point, the dramatic quality of the change can best be illustrated by example. Nationality may be baffling in the extreme to the ordinary person. It may seem remote from the business of life. In endeavoring to trace the law from one statute to another—from the naturalization act to the immigration act and from either or both to the nationals act—the thread of fact, even of common sense, may often be lost. But people will understand the actual results of these confusions in our present laws.

Suppose you are a Canadian, born in the British Isles or elsewhere outside of this country. Suppose you have lived most of your life here and are, in every sense, a Canadian through and through. Perhaps you left Scotland or Germany or Russia or Iceland or the United States or Armenia or Poland when very young and do not even remember your birthplace. Now suppose that you leave Canada on business or pleasure or for any reason. It means something to you and to your family in Canada that under the present laws you stand to forfeit Canadian citizenship and automatically revert to the citizenship of your native land after one year. Just glance at subsection E of section 2 of the Immigration act. If and when you desire to return to what is,

in reality, your own country—you will find that you must come in as an immigrant subject to all the regulations of the Immigration act. You have no rights as a citizen whatsoever. This is not necessarily so but it may be so and in many, many cases has been so.

★   ★   ★

OR suppose you and your wife are native born Canadians and while outside of Canada, a baby is born. As parents, you might think of your baby as a Canadian, as of your own country. Not so. Under the present law the baby cannot inherit its parents' nationality. It would stand under the existing statutes as a native of the land of its birth and when you brought it home, the Canadian immigration officers would be compelled by the law to pass the father and mother freely into this country but deal with the baby as an alien and an immigrant.

Or again suppose that you have grown up in Canada, although born elsewhere, and in a time of depression find yourself out of work. You may have lived in Canada thirty or forty years. You may have raised a family of Canadian-born children. Yet the mere fact of your having become a public charge makes you liable under the present law to deportation to the land of your birth.

Sometimes, people become impatient with legal questions of nationality. They are not interested in exalting the status of citizenship. They regard it as fussing and bothering about an unimportant thing.

Yet not one of the cases just cited is an imaginary or hypo-

thetical case. Every one is an actuality. Every one has happened. A little reflection will recall many examples. During the depression, the Bennett government did deport foreign born Canadians because they were on the dole. People born in the British Isles were sent back there against their will. The British people were shocked and Canada received a very bad press, but no one challenged the legality of what was done. People born in Russia before World War 1 were deported to the Soviet state in the 1930's, although they were political outcasts under communism and had committed no of-

fence in this country except to become unemployed.

Canadian-born missionaries returning to this country have had their children put off the train at the boundary, because they were foreign born and had no legal right to enter.

Many Canadians after a time spent out of this country, have been thunderstruck to discover that they had ceased to be Canadians and must seek entry into what they regarded as their own country as immigrants.

No question could be of more practical importance than this question of Canadian citizenship.

---

## CONFUSING CONTRADICTIONS

**B**EFORE coming to the present position of the law respecting nationality and citizenship and the effect that the new bill will have upon it, a backward glance is desirable. In this way the present contradictions can more easily be explained. They were not planned confusions. The law grew in that way.

The problems of nationality or citizenship as we now know them are largely a development of the past century. They are the result of the swift advance in transportation and the great increase in travel.

In early times in Canada, the colonial administrations dealt with citizenship and naturalization freely and without territorial restriction. But as travel became more common, difficulties arose since one colony might not be prepared to honor the laws of another and the home government

might find its own laws in conflict with those of the colonies.

It is interesting to note that there was no special law in the United Kingdom on nationality until these difficulties arose. The British common law sufficed. Being a British subject was a perpetual allegiance, acquired naturally by birth. You were born a Briton and it was impossible to divest yourself of that status. No foreign born could hope to become a British subject. Naturalization was unthought of. There was an approach to naturalization, a status called denization. You might if foreign born, aspire to become a denizen of the United Kingdom, but not a British subject.

This position, and it was common throughout the world in the early part of the last century, became increasingly difficult as people began to travel widely and

to change their country of residence and of citizenship. It became necessary to enable people legally to acquire nationality and to divest themselves of it.

★   ★   ★

**A**CTUALLY, of course, the colonial administration from the outset had been legislating freely in this field and without reference to their territorial limits. To remove confusions, a British statute was enacted in 1847 declaring that all laws dealing with citizenship, should apply only locally. Thus the British law would apply only to the United Kingdom; Canada's to the united provinces; Nova Scotia's to Nova Scotia and so forth.

So matters stood at the time of Confederation. Full power with respect to naturalization was conferred upon Canada by the B.N.A. act, section 91, item 25. Whether or not, the B.N.A. act enabled Canada to legislate extra-territorially, that is to make Canadian citizenship good beyond the three mile limit, is perhaps a debatable point. The most conclusive argument in support of Canadian jurisdiction will be found in the papers of the late J. S. Ewart and in the current writings of his son, Seaton Ewart, of Ottawa. But no attempt was made to assert extra-territorial jurisdiction. When the British parliament in 1870 enacted a law re-stating the earlier one of 1847 no protest was made.

The difficulties within the British Commonwealth or Empire as it then was, inevitably increased. Each self-governing British nation legislated for itself, but the laws

were not uniform and not mutually acceptable. The citizens of the Dominions ceased to be such when they went abroad. They might become British citizens if they could qualify. If not they would revert to their native citizenship.

Along with legislation on citizenship, the various Dominions enacted immigration laws. It by no means followed that British citizenship entitled a person entry into a Dominion. A native-born Englishman was compelled to pass the tests and could be refused at will. Other British citizens, whose skins were brown or black, stood no chance whatever.

★   ★   ★

**T**HUS at an early stage there grew up a cleavage between immigration laws and laws dealing with citizenship. The Dominions were not prepared to deal with immigrants on the basis of citizenship. They regarded it as essential that their immigration laws should over-ride laws of citizenship so far as entry and deportation were concerned. And it is in this setting that the confusion of the present day between these two statutes becomes more understandable.

At the turn of the century and as a part of the broad Empire centralization movement, a strong effort was made to achieve a common Empire citizenship. Discussions along this line took place at the Colonial conference of 1902 and the Imperial conferences of 1907 and 1911. A full report of these discussions will be found in the official reports of these gatherings. The effort failed, largely

for immigration reasons. The South African government was opposed. So was the Canadian government. Anything that might prejudice the white Australia policy was unacceptable to that Dominion and so forth.

Nevertheless, the United Kingdom made the effort in the British statute of 1914 which was adopted in part in the Canadian naturalization act of this same year. The tide of events, however, was running strongly against unification. The movement was towards complete autonomy under the crown and the emergence of the League of Nations was a decisive event.

Separate membership in the League meant separate nationality in a world sense. Indeed the very word nationals is derived from the League, being a translation of the French word "ressortissant" used in the League of Nations documents. As a word it was highly useful in the Commonwealth. The word citizen denotes a republic. The word subject applies to a monarchy. But the word national was deemed to contain the meaning of both citizen and subject.

\* \* \*

THE enactment of the Canadian nationals act in 1921 by parliament on the initiative of the Meighen government was a direct result of Canada's new status as an autonomous nation. Under the League, and ancillary organizations, notably the World Court, it became necessary to define Canadian nationals in a sense which would mark them apart

from the nationals of other parts of the Commonwealth. Canadian, not British, nationals became eligible for membership in the various international organizations. A common British citizenship was not compatible with the individual identity as nations of the various members of the Commonwealth.

Yet in enacting the law of 1921, the Meighen government went no farther than a bald declaration of Canadian nationality. No heed was paid to the conflicts already existing between the naturalization and the immigration acts. Indeed, new conflicts were established. The law—imbedded now in three statutes—became more confused than before.

The Statute of Westminster and the conferences leading up to it disposed of any doubt there might be of Canada's competence to enact laws creating a Canadian nationality in a world sense. The 1929 conference on the operation of Dominion legislation found that there could be a common British citizenship but that this would be "in no way inconsistent with the recognition within and without the Commonwealth of the distinct nationality possessed by the nationals of the individual states of the British Commonwealth."

Having the power and exercising that power are, however, different things. The old order has been permitted to drag along until the present time. The conflicts have been allowed to continue. A person deemed a national under the naturalization act may be refused entry to Canada under the Immigration act. He may be deported. A person strong in the

belief that under one Canadian law he is a citizen of this country may go abroad and shortly discover that under another act he has lost his citizenship.

To a substantial extent although not entirely, these confusions are now to be banished. A Canadian nationality, good at home and

abroad, is about to be created. The citizens of this country are at last about to catch up with their country. Canada has been one of the nations of this world since the signing of the peace treaties in 1919. Canadians are now to become, under their own laws, a world nationality.

---

## OUR NEW CITIZENSHIP

**A**LWAYS bearing in mind the hardships inflicted by the existing confusion in the law on nationality, it will be in order to summarize the bill now being sponsored by the Government.

There are now three statutes bearing on this matter. The Naturalization Act of 1914 defines British subjects and covers the naturalization of aliens in Canada. Canadian nationals are defined by the Canadian Nationals Act of 1921. Canadian citizenship is defined by the Immigration Act. All three are in conflict with each other, and since there is no master statute, the conflicts have hitherto been unresolved.

Hence you may be a British subject under the Naturalization Act but be unable to enter Canada because you do not qualify as a Canadian citizen under the Immigration Act, and so on.

The new bill will repeal and replace the Naturalization and Nationals Acts. This will leave two statutes in place of three. According to Mr. Paul Martin, secretary of state, the Immigration Act will be amended to make it subject to the new citizenship

statute. There will be, therefore a master law with regard to nationality and citizenship. How effective the amendments to the Immigration Act will be, remains to be seen. These amendments have yet to be introduced.

\* \* \*

**T**HE new bill is divided into seven parts. For practical purposes, however, it is designed to do three things. It defines Canadian citizenship both for native born and for aliens. It lays down the law governing the loss of Canadian citizenship. It defines the procedure necessary for acquiring citizenship and the status thus acquired.

It has been a sore point with Canadians these many years that their nationality or citizenship has been denied by their own government. How often is it required of a Canadian that he declare himself to be an Englishman or a Scotsman or an Irishman or some other nationality?

Section 3 of the new bill puts to an end all this: "Where, under any act of parliament of Canada or an order or a regulation made under such an act, a person is required to state or declare his



national status, any person who is a Canadian citizen under this act may state or declare himself to be a Canadian citizen and his statement or declaration to that effect shall be a good and sufficient compliance with such requirement.

Who is to be a native-born citizen of Canada?

Anyone born in this country or on a Canadian ship who has not subsequently divested himself or herself of Canadian citizenship.

Anyone born outside of Canada of a Canadian father or, if born out of wedlock, of a Canadian mother. In this regard, Canadian means either a native-born or naturalized citizen. In the case of a child, the birth must be registered at a consulate or with the Government at Ottawa within two years.

As for a child, he remains a Canadian citizen up to the age of 21 years. If still living abroad he or she must then make a declaration retaining Canadian citizenship.

It will be noted that the extra-territorial applications of the bill are new. Heretofore, we have never declared that persons born abroad are Canadians. They might be British subjects, depending on their ability to meet the requirements of British law, but they were not Canadians. No longer will the child of Canadian parents, born abroad, be refused admission to what is now to become, in law, his native land.

As for the non-native born, the provisions of the new act seek to remove the confusion between nationality and citizenship—between the Naturalization Act and the Immigration Act.

All persons who are naturalized Canadians or British subjects with Canadian domicile are now to become Canadian citizens. The reference to naturalization is clear enough. But the matter of domicile is dealt with under the Immigration Act. Since the Immigration Act is to be amended there is no purpose in examining its present provisions on domicile. The purpose, however, is plain. The requirements of the two statutes are to be combined in one basic requirement for Canadian citizenship. Where anyone is able to meet both, he is in the clear. Citizenship is his. What the basic requirement will be in the future is apparent in other sections of the bill.

\* \* \*

YOU may apply for Canadian citizenship provided you have been lawfully admitted to Canada for permanent residence. This can only be done under the Immigration Act. If you happen to be the wife of a Canadian citizen, you may apply regardless of time of residence. If you are a British subject, your application will be received at any time. Otherwise you must have lived continuously in Canada in the year preceding the date of your application for citizenship and for four of the six years preceding the application. There is little change here except to combine the provisions of the Immigration Act with those of the Naturalization Act.

As to the loss of Canadian citizenship, the new bill defines the causes in detail. You may divest yourself of Canadian citizenship by acquiring the citizenship of another country. If not native-

born, you may forfeit Canadian citizenship by residing outside of Canada for more than six years, without indicating in any way that you wish to retain your citizenship. But if you are abroad in the public service or as representative of a Canadian firm, or by reason of ill-health, or if you are less than 21 years of age, this section does not apply. Your rights are not impaired. And, of course, you can lose your citizenship for cause—disloyalty, criminality, or fraud. Here, however, action must be preceded by a judicial inquiry presided over by a superior court judge.

There is no provision in the bill which would permit mass revocation of citizenship or deportation, the kind of policy which has been applied to Japanese-born Canadian nationals in the past year or two.

One of the most striking fea-

tures of this bill is the provision regarding the procedure to be followed in conferring citizenship. There is to be a certificate of citizenship. The candidate will appear before the court for examination. If the court recommends citizenship, the minister at Ottawa will prepare a certificate and send it back to the court. The presentation of the certificate to the candidate will be a court ceremony, calculated, in the words of the bill to "impress upon applicant the responsibilities and privileges of Canadian citizenship."

In future, all who are not native-born Canadians, must qualify in this way. Thus, citizens of the United Kingdom, Australia, South Africa or other parts of the Commonwealth, must go through the ceremony and take out certificates if they desire to become citizens of Canada. Being British born will not suffice.

---

## BRITISH AND CANADIAN CITIZENSHIP

**W**HAT most people will ask about the citizenship bill is—How will it affect me?

The answer is this: If you are a native-born Canadian, or a British subject with domicile in this country, or a naturalized Canadian—if you are any of these, you automatically will become a Canadian citizen under the new law. Without lifting a finger, you will become such the moment the new law is proclaimed.

You will also continue to be a British subject, but of this more hereafter.

The new law in this way will make a clean sweep of the past. Everybody who can qualify as a British subject domiciled in Canada—which is the present statutory definition of a Canadian—will become at a stroke a Canadian citizen.

\* \* \*

**L**OOKING forward as from the date the new law is proclaimed, things will be different. Native-born will be Canadian citizens by virtue of their birth right. But if you are a British subject, born, say, in the United Kingdom, and

you come to Canada, you will be required to meet the residence and other qualifications before becoming entitled to a certificate of Canadian citizenship. Being a British subject will not give you an automatic right to this citizenship. Aliens, of course, will have to go through the similar but more exacting procedure prescribed in the act before they can obtain certificates.

Once obtained, however, Canadian citizenship will have enduring qualities. You will not be in peril of forfeiture if you leave this country. Nor will your children, if born abroad, be denied the rights of native-born Canadians.

There are two sections in the bill—sections 25 and 27—which have caused considerable speculation and confusion among commentators.

Section 25 consists of these words: "A Canadian citizen is a British subject."

Many people would have preferred to keep Canadian citizenship entirely separate from the status of a British subject. And from the nationalist point of view there is a great deal to be said for doing so. When you tell people that a Canadian citizen is a British subject but that a British subject is not necessarily a Canadian citizen, the matter tends to become baffling.

The reason for including this section in the bill are two-fold. The first has to do with our domestic law. The second concerns our relations with the Commonwealth.

PRIOR to the present bill, the laws of Canada, with a few exceptions like the Canadian Nationals act of 1921, now to be repealed, spoke always of a British subject when dealing with Canadian citizens. As a term, Canadian citizenship has hitherto been found only in the Immigration act. The legal definition of a Canadian, for all practical purposes, has been a British subject domiciled in Canada. For example, British subjects domiciled in Canada are the only people entitled to vote under our franchise acts. British subjects domiciled in Canada alone may own certain kinds of property under other statutes. Indeed, all the rights which normally are the exclusive possession of citizens are reserved under Canadian statute law for British subjects domiciled in Canada.

It would have been possible, of course, for the Government to review the statutes and to amend every law which referred to British subjects, substituting the phrase Canadian citizens. This would have been an unwelcome chore for Parliament and would have meant a clean break with the Commonwealth in terms of citizenship—unless Parliament had been prepared to extend Canadian citizenship automatically to all British subjects. But as has been shown, the Parliament of Canada, no more than the Parliaments of most if not all of the other Dominions, has never been prepared to do this. The Immigration act has always been supreme in deciding who may enter and live in this country. Being a British subject has never conferred the right of entry into

Canada and so far as may be judged never will. It seemed simpler, therefore, to say in the new law that a Canadian citizen is a British subject and to leave the rest of our statute law unchanged.

And it is obviously true, as well, that the Government desired to give to British subjects a higher status in this country than is extended to aliens. Hence, section 27 of the bill provides that any person who has acquired the status of a British subject, by birth or by naturalization under the laws of any country of the British Commonwealth other than Canada, shall be recognized in Canada as a British subject. Of course, he must get into Canada before he can enjoy the privileges granted to a British subject and to do so he must run the gauntlet of the Immigration act, which plays no favorites as between British subjects and non-British aliens.

\* \* \*

**B**UT if a British subject does get into Canada, the importance of retaining the status of a British subject in our laws is at once apparent. Under Canadian law, within Canada, a British subject has the same privileges and rights as a Canadian citizen. He can vote. He can stand for parliament. He might become prime minister. Being "a subject of the Queen" B.N.A. act, section 23) he can certainly aspire to become a senator. Therefore a British subject, once in Canada, will hold great advantages over an alien, even if he does not wish to become a Canadian citizen.

The difference between such a British subject and a Canadian

citizen, under the new law, would be this: A British subject will have no right to enter the country at will, which a citizen will have. And if a British subject should leave Canada, he will revert, after one year abroad, to his native nationality. That is, he might be an Englishman and, once away from Canada for a year, he will owe allegiance to the United Kingdom and will have to re-enter Canada as an immigrant. The status of a British subject in Canada is local to this country. But the status of a Canadian citizen is as wide as the world and as permanent as life itself.

Section 27 has been construed in some quarters as meaning that this bill draws a color line. Canada will recognize British subjects if they are so made by the laws of any other country of the Commonwealth. These countries are listed in an annex to the bill and comprise the autonomous nations of the Commonwealth.

Is it the intention, it is being asked, to exclude British subjects of India or of other British lands where the population is colored? The answer given by the Government is —No. Indians and other colored peoples are dealt with under the Immigration act and there is no necessity to draw a color line in this bill. Being a British subject, as already stated, does not and never has assured entry to Canada.

The reason, here, is that only the autonomous nations of the Commonwealth have citizenship laws in this sense. India, for example, has the right to create British subjects but only for India.

A British subject, under India's law, forfeits that status the moment he leaves India. Thereafter, he must rely on British law or,

if an alien, on the law of the country of his birth. It is not so with the self-governing Dominions or with the United Kingdom.

---

## A CANADIAN ALWAYS

**I**T is in the field of constitutional law that the Canadian citizenship bill breaks new ground.

As has been shown in earlier articles, there have been in play down the years two conflicting theories. One theory aimed at the unification of the British Empire—a single government, a single citizenship. The other sought unity in diversity. Each British nation must be sovereign, autonomous, under the crown.

Politically, the latter theory triumphed in the Statute of Westminster. But while autonomous, the close and enduring relationship among the British nations has remained—the common heritage—the common way of life, the agreement in broad aims.

With respects to citizenship this conflict, as stated, lay between those who desired a common Empire citizenship and those who desired individual citizenship for each member of the Commonwealth. And it is precisely on this point that the Canadian Citizenship bill is of significance.

It creates a Canadian citizenship of world-wide application and which endures for life. Thus, the long conflict is ended with victory for the autonomists. But there is in the bill, as well, a

measure of comfort for those who cling to the idea of an Empire citizenship. Under the new law it will not be necessary to choose as between becoming a British subject or a Canadian citizen. You will be able to be both and each will have special meaning and advantages. If, as seems certain, other members of the Commonwealth adopt the principle of the new Canadian law, there will come into existence a measure of duality in citizenship. Each will establish individual citizenship, but will recognize, also, the status of a British subject.

From the strictly nationalist standpoint, this feature of the bill is objectionable. The nationalists argue that the government should not confuse Canadian citizens with British subjects. They would prefer to make a clean job of it. Canadian sovereignty should be expressed solely in Canadian citizenship, so that apart from such citizenship all other nationals—including the citizens of other parts of the Commonwealth—would stand on a par as aliens. They would create a Canadian citizenship precisely similar to say, United States citizenship and have everyone who is not such regarded as an outsider or alien. It is wrong, in their view, to provide

that a Canadian citizen is a British subject or that persons who are British subjects under the laws of other British nations should be recognized in Canada as British subjects which, in effect, means as Canadian citizens.

\* \* \*

THE government, however, was not prepared to go this far. Therefore, the provision in the bill that the Canadian citizen now to be created by this legislation will be, by its very terms, a British subject.

The consequence of this is clear enough. A Canadian citizen abroad will be both citizen and subject. So far, the laws of other British nations do not recognize Canadian citizenship but they do recognize a British subject. If you go to the United Kingdom, you have no standing as a Canadian citizen but as a British subject you have every privilege. You can vote, stand for parliament, do everything that a native-born Britisher can do.

And, of course, the old weakness in our law will disappear. A naturalized Canadian, after this bill becomes law, will not cease to be a Canadian citizen under the Immigration Act a year after he leaves this country. And as his citizenship also makes him a British subject, his rights in all parts of the Commonwealth will be secure. He will not suddenly and against his wishes revert to an alien nationality.

There is no question of the desirability of giving permanence abroad to Canadian citizenship. But why, it is being asked, should a Canadian seek the rights of a citizen in the United King-

dom or in other British nations? A citizen of Ottawa, visiting in Winnipeg on municipal election day, does not feel injured because he cannot vote.

This feature of the bill may be right or wrong. Certainly, controversy will centre upon it. Of course, there would be no meaning in retaining the status of British subjects if all the members of the Commonwealth were to recognize, in their laws, each other's citizens as being equal to their own. That may come to pass in the future, but it is not true today.

\* \* \*

THERE is another and highly technical aspect to this matter. As stated, our statutes define a citizen as a British subject domiciled in Canada. This being so, it is argued against the bill that there is no need of recognizing British subjects of the other parts of the Commonwealth as is done in section 27. Why not leave this out? Our laws give rights to British subjects. Why not let it go at that? What else could a native of the United Kingdom be but a British subject? Would not all British subjects automatically obtain all the advantages under our laws without being specifically referred to in this bill.

The answer of the government is that, "a British subject domiciled in Canada," is a technical phrase and in our laws it means such a person as defined in a certain statute. In future it will be the new Citizenship act. Unless this provision was in the bill, you might be a British subject and you might live in Can-

ada but you would not qualify for any rights of citizenship.

An interesting point arises with regard to Ireland. The law of Ireland declares that its native-born and naturalized citizens are not British subjects, but citizens of Ireland. The present bill does not recognize citizens of Ireland. They are not declared to be British subjects and therefore citizens of Ireland will not possess any rights in Canada other than those possessed by aliens. It is understood that this exclusion was dictated by the wishes of the government of Ireland, not by any desire of the Canadian government. The De Valera government desires to divorce its citizens from all connection with British citizenship. Ireland, in fact, has done exactly

what our nationalists would like Canada to do.

It is true to say that the government has not made a clean break with the Commonwealth with respect to citizenship. A long step in this direction, however, is being taken in this bill. For the first time there is to be a Canadian citizen or national in every aspect of the term. His citizenship will be just as good abroad as at home. It is true that the privileges of citizenship at home will be shared with British subjects, just as Canadian citizens will share the privileges of citizenship (as British subjects) in other British countries. It may well be that as time passes our laws will be amended to restrict the rights of citizenship to Canadian citizens, to exclude British subjects. But future trends are not presently discernible.

